UNITED STATES PATENT AND TRADEMARK OFFICE

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10/522,625	01/31/2005	Takashi Imoto	03500.017510.	1853

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EXAMINER
ZHANG, FAN

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11/18/2010*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8 and 11-17* is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-8 and 11-17* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

November 18, 2010 has been entered. Currently claims 1-8 and 11-17 are rejected;

and claims 9 and 10 are cancelled.

Response to Arguments

2.   Applicant's remarks with respect to amended independent claims have been fully

considered and Applicant's arguments are moot in view of a new ground of rejection

necessitated by the corresponding amendments.

Response to Amendments

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

4.   Claim 12 is rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

In claim 12, "a computer-readable memory medium" could cover both transitory

embodiments and non-transitory embodiments. Although the spec does not specify any

transitory embodiments, the spec does not explicitly exclude transitory embodiments. A

transitory embodiment is excluded from any of the four categories of a process,

machine, manufacture, or composition of matter; and therefore it is not statutory. A

claim drawn to such a readable/communication storage medium that covers both

transitory and non-transitory embodiments may be amended to narrow the claim to

cover only statutory embodiments to overcome a rejection under 35 U.S.C. 101 by

adding the limitation "non-transitory" to the claim.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time the invention was made to
> a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

6.   **Claims 1-6, 11, 12, and 14-17 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Nishiyama (US Pub: 2002/0036790) and in further view of

Maniwa et al (US Patent: 5,768,483) and Evans et al (US Patent: 6,807,666).

         Regarding claim 1 (currently amended), Nishiyama teaches: A notifying

method, carried out in an information processing apparatus [fig. 1: unit 10] to which a

plurality of users, including first and second users, can log-on [fig. 14 (login)], of

notifying one of the plurality of users of information regarding an image processing

apparatus which communicates with the information processing apparatus [fig. 14 (status)],

a receiving step of receiving the information regarding the image processing apparatus from the image processing apparatus when the active session is provided for the first user, wherein the receiving step is started without waiting for a request from the first user [p0068, p0069],

Nishiyama teaches activating a second display program by manually logging-on the status display page. Nishiyama does not automatically activate the second display program to display status information. In the same field of endeavor, Maniwa et al teach: a specifying step of specifying a current active session from among the user sessions after the information regarding the image processing apparatus is received in the receiving step [claim 1, steps 4-6 (specifying received print job message with the corresponding job ID associating with a user ID which defines current active session.)]; an activating step of automatically activating a second display program in the current active session specified in the specifying step in order to display the information regarding the image processing apparatus received in the receiving step on the display unit occupied in the specified current active session; and a displaying step of displaying, in response to the transmitting step transmitting the received information, the transmitted information on the display unit of the information processing apparatus occupied in the specified current active session using the second display program [col 3: lines 33-39 (a display message regarding print job status popped up is the second display program automatically activated on a currently logged-in/active user display

session.)]. Therefore, it would have been obvious for an ordinary skilled in the art to combine the teaching of Nishiyama and Maniwa et al to automatically activate a status display window based on user login information for improved security measure and prompt user notification.

Nishiyama and Maniwa et al do not teach simultaneously log-on. In the same field of endeavor, Evans et al teach: an information processing apparatus to which a plurality of users, including first and second users, can simultaneously log-on, wherein the information processing apparatus can provide, for each of the plurality of users, an environment, as a user session, in which a program desired by the user is activated, wherein one of the user sessions is an active session in which one of the plurality of users can display information on a display unit of the information processing apparatus using a first display program and can exclusively operate the display unit and the rest of the user sessions are a non-active session [claim 1, col 2: lines 1-18].

And the combined teaching of Maniwa et al and Evans et al would have made the following obvious: Information transmitting step of transmitting, when the current active session specified in the specifying step is provided for the second user, the information received in the receiving step, not to a display program activated in the user session for the first user, which is a non-active session, but to the second display program automatically activated in the activating step [Maniwa: claim 1; Evans: claim 1, col 4: lines 10-35 (The second user may login and dominates the active display session so that a print job status display program may automatically pop up on the display based on user ID.)]. Simultaneously log-on has been well known in the art as

prescribed by Evans et al. Therefore, it would have been obvious for an ordinary skilled in the art to combine the teaching of all to apply Nishivama and Maniwa et al's printer status notification system to Evans et al's multiple log-on application for the purposes of allowing multiple applications to stay activated simultaneously for multiple user and promptly and securely informing user corresponding print job status.

Regarding claim 2 (Previously Presented), the rationale applied to the rejection of claim 1 has been incorporated herein. Nishiyama further teaches: A method according to claim 1, further comprising: an existence information receiving step of receiving existence information showing that the second display program has been activated in the specified active session [p0072-p0075, figs. 14-17]; and an activation discriminating step of discriminating whether the second display program has been activated in the specified active session on the basis of the received existence information [fig. 13: units S52 and S54], wherein the information transmitting step transmits the information received in the receiving step to the second display program activated in the specified active session if the activation discrimination step discriminates that the second display program has been activated [fig. 13: units S53, S55-S57].

Regarding claim 3 (Previously Presented), the rationale applied to the rejection of claim 1 has been incorporated herein. Nishiyama further teaches: A method according to claim 1, further comprising a step of, if a plurality of display programs have

been activated by the active session specified in the specifying step, finishing one of the

plurality of display programs [figs. 4, 9, 12, and 13: END].

Regarding claim 4 (Previously Presented), the rationale applied to the

rejection of claim 1 has been incorporated herein. Nishiyama further teaches: A method

according to claim 1, wherein each of the first display program and the second display

program is a program for displaying information regarding a print job issued to the

image processing apparatus or information regarding a status of the image processing

apparatus [p0067].

Regarding claim 5 (Previously Presented), the rationale applied to the

rejection of claim 4 has been incorporated herein. Nishiyama further teaches: A method

according to claim 4, further comprising: a user specifying step of specifying the user

corresponding to the active session in which the second display program has been

activated; and an issuance discriminating step of discriminating whether the print job of

the user specified in the user specifying step has been issued to the image processing

apparatus, wherein if it is determined that the print job has not been issued in the

issuance discriminating step, the second display program is not activated [p0074]. In

Nishiyama's teaching, print jobs are divided between confidential and common. The

confidential print display program will not be activated unless user specification and job

issued by the user are confirmed. Although a common print status display program is

activated, confidential print status display program is not activated as it is discriminated

that Tanaka has not issued a print job as exemplified in p0074. However, all the print

jobs could be converted to confidential status so that none of the display programs

would be activated. Therefore, it would have been an obvious variation of Nishiyama's

exemplification for an ordinary skilled in the art to apply confidential print status to all the

print jobs so that none of the display programs will be activated when user does not

issue a print job for the purpose of simplicity and less confusion.

Regarding claim 6 (Previously Presented), the rationale applied to the

rejection of claim 1 has been incorporated herein. Nishiyama further teaches: A method

according to claim 1, further comprising: a necessity discriminating step of

discriminating whether the information is information which needs to be displayed on the

basis of the information received in the receiving step [fig. 13: units S52 and S54],

wherein the second display program is activated in the active session specified in the

specifying step if the necessity discriminating step discriminates that the information is

the information which needs to be displayed [fig. 13: units S53-57]. Also see [p0067-

p0070].

Claim 11 (Currently Amended) has been analyzed and rejected with regard to

claim 1.

Claim 12 (Currently Amended) has been analyzed and rejected with regard to

claim 1 and in accordance with Nishiyama's further teaching on: A computer-readable

memory medium which stores a program for controlling an information processing

apparatus [p0088].

Regarding claim 14 (Previously Presented), the rationale applied to the

rejection of claim 1 has been incorporated herein. Nishiyama further teach: A method

according to claim 1, wherein the specifying step specifies the active session for the

second user different from the first user based on information obtained in a step of

obtaining active session information in order to discriminate the active session

occupying the display unit used by the second user from the user sessions [figs. 15-17:

User Name & Password entry (The active session of user name & password entry

specifies one of a plurality of users to obtain information regarding the image processing

apparatus.)].

Claims 15-17 (New) have been analyzed and rejected with regard to claims 1,

11, and 12 respectively.

7.   **Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over Nishiyama (US Pub: 2002/0036790), Maniwa et al (US Patent: 5,768,483), and

Evans et al (US Patent: 6,807,666); and in further view of Parry (US Pub:

2003/0077097).

        Regarding claim 7 (Previously Presented), the rationale applied to the

rejection of claim 1 has been incorporated herein. Nishiyama further teaches: A method

according to claim 1, further comprising: a condition obtaining step of obtaining

condition information in which conditions in which the information regarding the image

processing apparatus is displayed and conditions in which the information is not

displayed have been described [fig. 13, p0067-p0070]. Nishiyama and Maniwa et al do

not execute display based on the status of an apparatus. In the same field of endeavor,

Parry teaches: a status discriminating step of discriminating whether the image

processing apparatus is in a status (normal or non-error status) where it is necessary to

display the information regarding the image processing apparatus on the basis of the

condition information and the information received in said receiving step; and a step of

finishing the second display program if the status discriminating step discriminates that

the image processing apparatus is not in the status [p0041, figs 3. Error message is

displayed when the apparatus is not in normal status.]. Discriminating the status of an

apparatus to activate a display program has been well known and practiced in the art as

prescribed by Parry. Therefore, given Nishiyama's teachings on user condition and

identification, Maniwa et al's teaching on pop-up display, and Parry's disclosure on

apparatus status for activating a display program, it would have been obvious for an

ordinary skilled in the art to combine the teaching of the all to display printing

information when both user condition and apparatus status are met for providing user

relevant error messages on the related printing jobs.

Claim 8 (Previously Presented) has been analyzed and rejected with regard to

claim 7. (No message is sent to a computer for displaying when it is determined that

there is no error associated with the image processing apparatus [fig. 13, p0067-p0070].)

8.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishiyama (US Pub: 2002/0036790), Maniwa et al (US Patent: 5,768,483), and Evans et al (US Patent: 6,807,666); and in further view of Hamada (US Pub: 2002/0103885).

Regarding claim 13 (Previously Presented), the rationale applied to the rejection of claim 1 has been incorporated herein. Nishiyama, Maniwa et al, and Evans et al do not explicitly disclose activating a print service program upon obtaining the information regarding the image processing apparatus. In the same field of endeavor, Hamada teaches: A method according to claim 1, wherein the first user is a user for the user session in which a print service program can be activated in the information processing apparatus upon receiving the information regarding the image processing apparatus [p0117 (A print service program such as re-sending data is activated upon obtaining error information regarding a printer once a predetermined user authenticity is checked.)]. Given Nishiyama's prescription on detecting error information of a printer in p0003 and Hamada's disclosure on activating a data re-sending program, it would have been obvious for an ordinary skilled in the art to combine the teaching of all to include a print service program upon obtaining information regarding a printer's status after performing user authentication for providing user an efficient printing process service.

Contact

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fan Zhang whose telephone number is (571) 270-3751. The examiner can normally be reached on Mon-Fri from 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark K. Zimmerman can be reached on (571) 272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Fan Zhang/

Patent Examiner

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